

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
Denise Carlon, Esquire
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Attorneys for Secured Creditor:
Deutsche Bank National Trust Company, as Indenture
Trustee for New Century Home Equity Loan Trust 2006-
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In Re:
Lester B Smith Jr
Debtor



Order Filed on May 16, 2025
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 24-20183 RG

Adv. No.:

Hearing Date: 4/16/2025 @ 10:00 a.m.

Judge: Rosemary Gambardella

ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: May 16, 2025

A handwritten signature in black ink, appearing to read "Mark E. Hall".

**Honorable Mark E. Hall
United States Bankruptcy Judge**

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Debtor: Lester B Smith Jr

Case No: 24-20183 RG

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Deutsche Bank National Trust Company, as Indenture Trustee for New Century Home Equity Loan Trust 2006-2, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 420 North Walnut Street, East Orange NJ 07017, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Avram D. White, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of April 28, 2025, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due December 2024 through April 2025 for a total post-petition default of \$15,260.47 (2 @ \$3,435.62; 3 @ \$3,303.87 less suspense \$1,522.38); and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall make an immediate payment of \$4,958.00; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$10,302.47 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that loss mitigation mortgage payments are to resume May 1, 2025, directly to Secured Creditor's servicer, (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor does not waive its rights with regard to any arrears in the event the LMP is unsuccessful; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor does not waive its rights to collect the difference between the LMP payments and the full monthly payments at the expiration of the LMP or if the LMP is unsuccessful; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor must file a LMP application motion by April 15, 2025; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

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It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$199.00 for filing fees, totaling \$549.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.